

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
1	<p><u>Page 5, Paragraph 3</u> – All existing dry weather nuisance discharges are routed to the POTWs for treatment before being discharged through the Ocean Outfall. (Also p.F-4,B.)</p>	<p>The Findings in the Tentative Order No R9-2006-0054 and Fact Sheet have been modified (<i>see items no 3 and 10 on the SJCOO Errata 1</i>)</p>
2	<p><u>Page 12, 6.</u> – The outfall flow limit has changed for average dry weather flow in R9-2000-0013, to a calendar-monthly average flow. The flows cited on page F-10 as exceedences all occurred during periods of wet weather, so in fact did not exceed the limit. Although the calendar-monthly average limit given, 36.385 MGD, has not been exceeded any calendar month in the last five years, the rationale for the change is not understood; the limit could conceivably be exceeded in the case of a 100 year flood, something beyond SOCWAs control.</p>	<p>The flow limitation is based on the existing secondary treatment design capacities for all contributors to the outfall as was reported by SOCWA in their NPDES application. The flow limitation could be revised in the future to establish one flow limitation for dry weather and a second limitation for peak discharge provided SOCWA submits the rationale for the peaking factor and documenting that the treatment processes have the capacity to achieve compliance during the peak flow periods.</p> <p>No change to tentative Order is justified at this time.</p>
3	<p><u>Page 23, 2.a.</u> – Related to previous comment – Order R9-2000-0013 contained a trigger for a written report to the Regional Board when a POTWs “average dry weather influent flow for any 30-day period” reached 75% of the plants design capacity; in the tentative order, the wording was changed to “average monthly influent flow”.</p>	<p>See response to Comment 2.</p>
4	<p><u>Page 25, 1), 2), & 3)b)</u> – SOCWA does not currently report spills on the form referenced in this section, but one that contains all of the same information; the agency would like to continue using the current form.</p>	<p>The Special Provisions regarding spill reporting requirements have been modified to include other forms that are similar to the Sanitary Sewer Overflow Report Form provided under Order No 96-04. (<i>see item no 4 on the SJCOO Errata 1</i>)</p>

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
5	<p>Page 26, e.2) – There is no allowance for composting as a method of sludge (biosolids) disposal in this section. The majority of SOCWAs sludge is composted; a 180 day approval period for composting disposal would be a serious hardship for SOCWA and its member agencies.</p>	<p>The Special Provisions regarding the Sludge [Biosolids] Disposal Requirements in the tentative permit (R9-2006-0054) reiterate the requirements in the current permit (Order No 2000-13). This is the standard language for NPDES permits and do not restrict any SOCWA composting and disposal options that are conducted in compliance 40 CFR Parts 258 and 503.</p>
6	<p>Page 32, C. – defines Daily Effluent Value (DEV) as, “<u>..the results of a flow-weighted 24-hour composite sample collected during a calendar day (12:00 am through 11:59 pm) or any continuous 24-hour period that ends on and reasonably represents a given calendar day for purposes of sampling.</u>” Currently SOCWA and it’s member agencies, collect 24-hour composite samples that begin at approximately 08:00 am through 07:59 am; since the greatest proportion of sample is collected during the 16 hours of the start date, the value obtained is considered to reasonably represent the start date, and recorded that way. Changing to a calendar day 24-hour composite sampling would require the purchase of new sampling equipment at a large cost to the agencies. In order to maintain the consistency of the database, the wording could be changed to “<u>...any 24-hour period that begins on and reasonably represents..</u>”. If the wording cannot be changed, would the Regional Board consider the final 8 hours of the composite sampling to be reasonably representative of the end date?</p>	<p>The Compliance Determination and Enforcement Provisions contained in Section VII.C have been modified. (see item no 5 on the SJCOO Errata 1)</p>

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
7	<p><u>Page 37,L.2.</u> – states that, “<i>For all bacterial analyses, sample dilutions should be performed so the range of values extends from 2 to 16,000 MPN (most probable number)</i>”. SOCWA uses membrane filtration (MF) for all bacterial tests, which is a more precise method than the MPN; results are reported quantitatively as colony forming units (CFU) per 100ml. Currently, two dilutions are run at most sites; to guarantee a value within this range would require at least 3 dilutions; the staff attempts to bracket the regulatory levels by choosing dilutions based on site specific conditions. SOCWA would like to continue this practice, or change the required range to meet the tentative order limits of 35 to 10,000 CFU.</p>	<p>The language in this section is consistent with the current permit (Order No. 2000-13, Provisions Section F.33) and is the standard language in the NPDES permits.</p>
8	<p><u>Page C-2</u> – The process flow diagram for the Jay. B. Latham Regional Treatment Plant is not representative of current operations. A current diagram will be forwarded.</p>	<p>SOCWA has not sent in an updated diagram and, therefore, no change has been made at this time.</p>
9	<p><u>Page C-3</u> – The process flow diagram for the Chiquita Reclamation Plant is not representative of current operations. A current diagram is attached.</p>	<p>SOCWA has not sent in an updated diagram and, therefore, no change has been made at this time.</p>
10	<p><u>Page E-7, Table 3.</u> - Incorrect endnote; End note 3 refers to <i>daily</i> sample frequency, not weekly.</p>	<p>The superscript was moved from the row labeled “weekly” to the rows labeled “daily”. <i>(see item no 23 on the SJCOO Errata 1)</i></p>

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
<p>11</p>	<p><u>Page E-11, Tables 5. and 6.</u> – The monitoring of brine discharge and treated urban runoff called for includes more parameters and greater frequency than has been previously discussed. The rationale for the increased monitoring is not understood. These two discharges are unlikely to contain high levels of TSS, Oil and Grease, or Settleable solids; the pH of these discharges is unlikely to have much impact on the final outfall discharge. (TO# R9-2006-0055, p.E-11&E-12, Tables 5. and 6.)</p>	<p>As described in the Fact Sheet (Attachment F, Section IV.B), the technology-based effluent limitations for the brine discharge and treated urban runoff are considered industrial discharges for which effluent guidelines have not been established, and thus subject to the Table A effluent limitations contained in the Ocean Plan. 40 CFR §122.48 requires monitoring to determine compliance with effluent limitations in NPDES permits. The tentative permit therefore requires monitoring for all regulated parameters. Although the Regional Board agrees that the discharges are unlikely to contain high levels of the limited parameters, however, little to no data exist to support this assumption at this time. The weekly monitoring requirements were proposed to ensure compliance with the Table A effluent limitations and collect data for use in reissuance of the permit. Upon further examination, weekly monitoring for these discharges may be excessive. The final Order will require monthly monitoring for the Table A parameters. In addition, turbidity was inadvertently left off Tables 5 and 6 in Attachment E, and will be included in the final Order. <i>(see items no 6 and 7 on the SJCOO Errata 1)</i></p>

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
<p>12</p>	<p>Page E-15, A. –In SOCWAs current Order No. 2001-08, page 83, 4. SURF ZONE WATER QUALITY MONITORING, B.(3), states that, <u>"In the event of stormy weather which makes sampling hazardous at certain surf zone stations, collection of samples at such stations can be omitted, provided that such omissions do not occur more than 5 days in any calendar year or occur at consecutive sampling times. The observations listed in (2) above shall still be recorded and reported to the Regional Board for these stations at the time the sample was attempted to be collected."</u> SOCWA staff requested this provision also be included in the new SJCOO permit; this provision is not in TO# R9-2006-0054 or 0055. Staff does not recall using this exemption more than twice in the five-years covered by Order 2001-08, but feels it is important for the safety of our staff to have it available.</p>	<p>The Monitoring and Reporting Program was modified. (see item no 8 on the SJCOO Errata 1)</p>

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
<p>13</p>	<p><u>Page E-16, C. Off Shore Water Quality Monitoring – Attachment E (page E-16 through E-20) and F (page F-45) give conflicting monitoring requirements</u></p> <p><u>Page E-16, VI.C.2., Reduced Monitoring – Specifies Visual Observations be made at each site, plus, total and fecal coliform, and enterococcus be monitored at surface and mid-depth.)</u></p> <p><u>Page E17, VI.C.3. Intensive Monitoring – states that, “The intensive monitoring specified below is required during the 12-month period beginning July 1, 2008 through June 30, 2009, and must be submitted by August 1, 2011”. Intensive monitoring requirements include salinity, temperature, and depth at 1 meter intervals, DO and Light transmittance at surface, mid-depth, and bottom, and pH at the surface, in addition to the p. E-16, VI, C.2, monitoring requirements</u></p> <p><u>Page F-45, Section VI.D.3., Offshore Water Quality Monitoring, states that, “...MRP No. R9-2006-0054 establishes a schedule of monitoring at seven offshore locations for total and fecal coliform and enterococcus bacteria in surface and mid-depth samples on a year-round, monthly basis. In addition, monitoring requirements at the offshore stations have been included for temperature, dissolved oxygen, salinity, and pH in surface, mid-depth, and bottom (S.M.B) samples on a year-round basis to provide adequate data for evaluating initial dilution”.</u></p>	<p>The Fact Sheet, Page F-45, Section VI.D.3 was modified to be consistent with the Monitoring and Reporting Program.</p> <p><i>(see item no 15 on the SJCOO Errata 1)</i></p>

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
14	<p><u>Pages 6, F-8, F-9, F-24</u> The brine discharge from the CSJC - GWRP is expected to be up to 1.2 mgd, not 0.73 mgd.</p>	<p>The estimated flow for the brine discharge was 0.73 millions of gallons per day (mgd) in the Order No. 2000-13 findings. No new information for updated brine discharge flow was provided in the application and follow-up discussion.</p>
15	<p>Please Clarify Will SOCWA be required to perform the additional monitoring described in the Fact Sheet? If so, will the monitoring be ongoing through the life of the permit, or for a limited time?</p>	<p>Please see response to comment 13.</p>
16	<p>Please Clarify If the monitoring described in the Fact Sheet is performed, will SOCWA be required to perform the intensive offshore monitoring from July 2008 through June 2009 as described in the MRP? To perform the intensive monitoring requires a much more expensive instrument than that in the fact sheet.</p>	<p>Please see response to comment 13.</p>
17	<p>Please Clarify <u>Page E-17, D. & F-</u> – If SOCWA is required to perform the Benthic Monitoring as described in the MRP, we will require clarification on sample collection; we have been advised by our receiving water sampling contractor that the sampling equipment and techniques referenced in the MRPM are incorrect and/or outdated. (TO# R9-2006-0055, p.E-19 & F-46)</p>	<p>The language in the Benthic and Kelp Bed Monitoring section is consistent with the current order (Order No. 2000-13). The Monitoring and Reporting Program (MRP) may be modified in the future upon approval the sampling equipment and techniques that are preferred for approval and modification of the permit. The tentative MRP has been modified to clarify that the method of sample collection may be modified in the future. <i>(see item no 9 on the SJCOO Errata 1)</i></p>

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
18	<p>Please Clarify <u>Page E-20., Section VI.G., Intensive Monitoring, states that, “The Discharger shall perform the intensive monitoring as described by this MRP in conjunction with the next Southern California Coastal Water Research Project (SCCWRP) Bight Study.”</u> Intensive Monitoring cannot be performed as described by the MRP if it is done in conjunction with SCCWRP Bight 2008. The purpose of the SCCWRP Bight Study is to determine conditions over a wider area than the discharge, including reference sites to help evaluate the effect the outfall discharge may have. The sampling plan relies on targeted random site selection; the questions the study seeks to answer may require different types of analyses than those specified in the MRP. In the past, SOCWA has participated in the Bight study’s through a resource exchange – the permit specific monitoring requirements are exchanged for staff participation in study planning, sampling and analyses for the microbiology portion of the study, and a financial contribution toward the offshore, benthic, demersal fish and macroinvertebrates. (TO# R9-2006-0055, p.E-20)</p>	<p>The purpose of the requirement contained in Section VI.G of the MRP is to ensure conjunction (joint or simultaneous occurrence or coordination) of monitoring efforts with the SCCWRP Bight Study, not to add additional monitoring to the Intensive Monitoring (page E-16/E-17, Section VI.B.2/ VI.C.2).</p>
19	<p>Please Clarify <u>Page F-5, Paragraph 1</u> – The majority of biosolids from the JBL RTP are composted by a contractor for reuse.</p>	<p>The Facility Description in the Fact Sheet was modified. <i>(see item no 11 on the SJCOO Errata 1)</i></p>
20	<p>Please Clarify <u>Page F-10, Paragraph 2</u> – As noted previously, no effluent flow limit exceedences occurred under Order R9-2000-0013.</p>	<p>The Facility Description in the Fact Sheet was modified. <i>(see item no 12 on the SJCOO Errata 1)</i></p>

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
21	<p>Please Clarify <u>Page F-17, 2.</u> – Please clarify what is required to “provide certification” that all storm water is captured on-site and not allowed to run off-site of the POTW.</p>	<p>The required certification can be in the form of a letter with supporting documentation (e.g., site diagram depicting site drainage and locations of storm drains). The certification should be signed by a responsible official in accordance with the signatory requirements specified in Attachment D, Section V.B. <i>(see item no 13 on the SJCOO Errata 1)</i></p>
22	<p>Please Clarify <u>Page F-44, D.1.</u> – Monitoring sites C1 and C2 are located in San Juan Creek above marine influences. Consistently elevated levels of total and fecal coliform and enterococcus at sites C1 and C2 do not indicate any connection to the outfall plume, but instead confirm that there are upstream sources of bacteria unrelated to the outfall discharge to the ocean. As an ocean discharger, it is unclear why SOCWA is obligated to investigate inland water contamination.</p>	<p>There is no change to the monitoring sites at this time. Based on the outcome of the coordination among the agencies regarding responsibilities for surf zone monitoring, the Regional Board could modify the affected permits in accordance with applicable State and federal permit requirements and according to Section I.A of the MRP.</p>

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
23	<p>Please Clarify</p> <p><u>Page F-44, D.1.</u> – SOCWA has requested a more equitable approach to the surf zone monitoring program and the draft permit requires that SOCWA conduct an analysis for review before the Regional Board acts on the request. SOCWA has initiated a discussion with other potential parties to this issue – namely the Orange County Health Care Agency and the County of Orange’s department responsible for the storm water permit issued through Region 9. All parties involved pledged to work together to develop a coordinated monitoring program for consideration by the Regional Board. Please clarify what administrative mechanism the Regional Board will employ to consider this issue once the analysis is completed? Will this matter be addressed through a public hearing, will SOCWA be required to submit a request to amend the permit, does the Executive Officer have the authority to administratively make alterations to SOCWA’s permit on this issue, etc.? This issue applies to both TO#9-2006-0054 and TO#9-2006-0055.</p>	<p>Based on the outcome of the coordination among the agencies regarding responsibilities for surf zone monitoring, the Regional Board may modify the affected permits in accordance with applicable State and federal permit requirements. The tentative MRP has been modified to clarify that the number and location of monitoring sites may be modified in the future.</p> <p><i>(see item no 6 on the SJCOO Errata 1)</i></p>
24	<p>Typographical Comments – Use ml/L and mg/L throughout</p>	<p>The permit has been modified to use consistent units throughout (ml/L, and mg/L), instead of ml/l, mL/L, and mg/l</p> <p><i>(see items no 16 and 17 on the SJCOO Errata 1)</i></p>
25	<p>Typographical Comments – Page 2, Line 3 – R9-2006-0054 typed twice</p>	<p>The typographical error was corrected.</p> <p><i>(see item no 18 on the SJCOO Errata 1)</i></p>
26	<p>Typographical Comments – Page 20 – Numbers, 1. and 7., with no text</p>	<p>The outline format will be updated.</p>

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i></p>		
27	Typographical Comments – Page 22 – Letter, j., with no text	The outline format will be updated.
28	Typographical Comments – Page 25-33 – Check numbering and lettering on these pages Page 33, E. – line four should read, “.. <i>determination of compliance with the Instantaneous Maximum Effluent Limitation..</i> ”.	The typographical error was corrected. The outline format will be updated. <i>(see item no 19 on the SJCOO Errata 1)</i>
29	Typographical Comments – Page 33, G, - omit “T” in first line	The typographical error was corrected. <i>(see item no 20 on the SJCOO Errata 1)</i>
30	Typographical Comments – Page E-1,III.A. – the monitoring locations referenced should be M-INFA, M-INFB, M-INFC, and M-INFD	The typographical error was corrected. <i>(see item no 21 on the SJCOO Errata 1)</i>
31	Typographical Comments – Page E-1,IV.A.. - begins on page E-7, not E-6	The table of contents will be updated.
32	Typographical Comments – Page E-1,IV.B. – begins on page E-8, not E-7	The table of contents will be updated.
33	Typographical Comments – Page E-5 – first monitoring location description, Dohenny, should be, Doheny	The typographical error was corrected. <i>(see item no 22 on the SJCOO Errata 1)</i>
34	Typographical Comments – Page E-7 – Table 3., footnote 3 is the definition of weekly sampling, but it is incorrectly placed with Weekly minimum sampling frequency	This is the same as comment 3.
35	Typographical Comments – Page E-8, 3. – delete “average” in first line to read, “.. <i>calculate the daily percent removal.</i> ”	The typographical error was corrected. <i>(see item no 24 on the SJCOO Errata 1)</i>
36	Typographical Comments – Page E-11 – Table 5., ph units should be standard, not mg/l	The typographical error was corrected. <i>(see item no 25 on the SJCOO Errata 1)</i>

August 16, 2006
 Item No. 15
 Supporting Document 6

Comment #	Comment	Staff Response
<i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in cover letter dated June 21, 2006</i>		
37	Typographical Comments – Page E-18, 2. Infauna and F-46 – dredge sampler type Paterson, should be Peterson.	The typographical errors were corrected. <i>(see items no 26 and 27 on the SJCOO Errata 1)</i>
38	Typographical Comments – Page F-13, paragraph 3 – MNWS should read, MNWD	The typographical error was corrected. <i>(see item no 28 on the SJCOO Errata 1)</i>

Comment #	Comment	Staff Response
<p><i>Comments from South Orange County Wastewater Authority regarding Tentative Order No. R9-2006-0054 (San Juan Creek Ocean Outfall) as contained in an email dated August 3, 2006</i></p>		
<p>1</p>	<p>We have a comment with respect to the Tentative Order R9-2006-0054, Discharge Prohibition A and Table A of the effluent limitations section which would require that all discharges from the SOCWA Jay B. Latham Regional Treatment Plant (RTP), the SMWD Chiquita Water Reclamation Plant (WRP), the MNWD 3A Reclamation Plant (RP), and the City of San Clemente RP to be treated by at least a secondary treatment process. We understand that the Regional Board staff has included the prohibition and effluent limitations, due to its revised interpretation of the federal regulations and due to a desire for greater accountability and to ensure a minimum level of performance by the member agency facility.</p> <p>SOCWA disagrees that the application of secondary treatment requirements to the individual facilities is either required or appropriate. However, if the tentative order is to go forward with the secondary treatment language as currently proposed, we request that the Fact Sheet (second paragraph at page F-20) be amended as follows:</p> <p>“Therefore, the permit independently applies the secondary treatment standards to the SOCWA Jay B. Latham RTP, the SMWD Chiquita WRP, the MNWD 3A RP, and the City of San Clemente WRP. This is a new requirement not applied to these facilities in previous orders. In developing this requirement, the Regional Board considered other approaches for satisfying the secondary treatment requirements, including self-enforcement by SOCWA, continued application of the requirements at the outfall only, and the issuance of individual NPDES permits to each POTW. Independently applying the secondary treatment standards to the facilities was selected because this approach satisfies applicable law and regulations and provides increased accountability while conserving Regional Board and permittee resources.”</p>	<p>The fact sheet has been modified.</p> <p><i>(see item no 14 on the SJCOO Errata 1)</i></p>